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20 March 1956

MEMORANDUM FOR: Claims Branch, Fiscal Division

SUBJECT : Vehicle Accident--Survey Report No. 00821

1. This Office has reviewed the facts of the accident between an Agency vehicle and the private vehicle of [redacted] FOIAb6 which occurred on 28 February 1956. It is our opinion that the circumstances of the accident were such as would render the United States liable, if a private person, as provided in the Tort Claims Act, 28 USC 2672, as amended.

2. Your attention is called to the fact that the lowest estimate for repairs to [redacted] FOIAb6 vehicle ($191.94) is in excess of the value of the vehicle. [redacted] FOIAb6 car is a 1947 Desoto 4-Door Sedan which was last listed in the December 1955 issue of the National Automobile Dealers Association Redbook. It was then given an average retail value of $165.00. A claim in excess of the value of the property before the accident less its present value would be excessive. Because of the difficulty of assessing the present value of [redacted] FOIAb6 car it is suggested that it be set at the nominal figure of $10.00 and that [redacted] FOIAb6 be offered the sum of $155.00 in full settlement of his claim. [redacted] FOIAb6 claim for storage and cab fare appears to be speculative and he submits no proof of incurring these expenses. Under the circumstances those items cannot be considered in settling this claim.

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[redacted]
Office of General Counsel

OGC/JDM:jcf

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